

Cardiff Local Development Plan 2006-2026

Delivery Agreement, Consultation Draft
response by Cardiff Civic Society

23rd July 2010

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Thank you*

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Cardiff Civic Society is a membership organisation and charity that aims to conserve, sustain and develop the natural and built environment of the city for the benefit of current and future generations.

It is a charity whose objects are improving the built and natural environment of the city. Its role is to provide information and support, research and debate and, where necessary, to lobby local authorities, government and private interests to ensure the achievement of its aims. It runs conferences, workshops, education events and acts as a catalyst for other organisations with similar objectives to exchange ideas and develop skills.

It also runs a programme of informal and social events. for its members in buildings and places that demonstrate concern for the built environment.

Introduction

Background to this paper

In May 2005, following agreement with the Welsh Assembly Government, Cardiff Council resolved to cease preparation of the Cardiff Unitary Development Plan and commence work on a new Local Development Plan (LDP). Following Deposit of the LDP in April 2009, the plan was submitted to the Assembly for Examination in November 2009. However in view of significant concerns raised by the Inspectors examining the Plan, following agreement from the Welsh Assembly Government, Cardiff Council withdrew the LDP from the examination in April 2010 and is now commencing work on the preparation of a new Plan. When adopted, the LDP will replace existing structure and local plans for Cardiff.

The council is required to provide a Delivery Agreement and agree it with the Assembly. The Delivery Agreement must include:

- A Community Involvement Scheme (CIS) - indicating how the Council will involve consultation bodies and the public in plan preparation; and
- A Timetable for preparing and adopting the LDP, and for preparing and publishing the sustainability report, the Annual Monitoring Report and supplementary planning guidance (SPG).

This document responds to a request for comment and is given by Cardiff Civic Society (CCS). The CCS is a charitable trust which strives to conserve, sustain and develop the natural and built environment of the city for the benefit of current and future generations. Its objects are improving the built and natural environment of the city. Its role is to provide information and support, research and debate and, where necessary, to lobby local authorities, government and private interests to ensure the achievement of its aims. It runs conferences, workshops, education events and acts as a catalyst for other organisations with similar objectives to exchange ideas and develop skills.

From 2008 until 2010 CCS provided input into the now withdrawn Cardiff LDP, submitting evidence that the proposed plan was unsound on six grounds. ¹

What is a LDP?

It is clear that a Local Development Plan is key to effective planning of an area, but it is much more than the 'old' Unitary Development Plans that focussed on land use. At the RTPI Conference on 8 June 2010², Wales Assembly Government Minister For Environment, Jane Davidson set out the government's commitment to the process and the fact that it was essential for economic renewal. The WAG Director of Planning for Wales in the

¹ Can be downloaded at <http://tinyurl.com/37xn8gp>

² Can be viewed here <http://tinyurl.com/38gzqlm>

Planning Inspectorate, John Davies also set out how a LDP should reflect the needs and aspirations of communities and not be just a land use plan³.

There has been criticism, not least from leaders of Cardiff Council, that the LDP process is 'not fit for purpose'. CCS does not share that view. We have relied on advice from the WAG Planning Inspectorate: a useful guide to the intended process can be found in a presentation by Mark Newey⁴.

What is Cardiff's LDP for?

In a briefing note for our members, we have set out the following principles, we think they serve well for any discussion to frame the soundness of the Delivery Agreement. We see the LDP needing to confront and reach conclusions about three potentially conflicting issues:

• Manage Growth

- . understand the growth, clarify it's components
- . map out the city in terms of capacity to grow, outline of expansion zone, recognise limits
- . co-ordinate with neighbouring authorities, it's not a competition
- . set policy for development, to both constrain and encourage
- . identify market research needs for job growth enablers
- . give the planning process the power to deliver the growth plan
- . site selection is a planning issue not a LDP issue

• Make Cardiff a better place

- . map transportation needs of the evolving city and region
- . look for best practice in other cities, learn from others
- . survey carbon emissions, set clear goals
- . set the highest environmental standards: this is the future
- . define what will make Cardiff different to other cities
- . ask what attracts business/visitors in the 21st century
- . amplify strengths, overcome weaknesses
- . set design standards to deliver the quality required, both public space and buildings
- . be bold, the plan will set the base for the rest of the century
- . encourage good things to flourish eg public health, safety, cleanliness, environment responsibility

• Fulfil the wishes of its residents

- . go out and ask what a good quality of life means
- . display the options, seek input from all stakeholders
- . use maps and models, make it live
- . preserve the good, change to improve
- . where tradeoffs are needed, give opportunity to understand
- . respect Welsh Assembly Government policy: no politics over process, just the choices

³ Can be downloaded here <http://tinyurl.com/2fr9r5t>

⁴ Can be downloaded here <http://tinyurl.com/39qa5bz>

Principles of process

The “Local Development Plan Manual, June 2006”, published by WAG Planning Inspectorate, sets out clearly the way in which a LDP should be arrived at. For those unfamiliar with the document it is worth setting out its guiding objectives for a LDP:

1. informing LDP production through Sustainability Appraisal, incorporating Strategic Environmental Assessment (referred to in this Manual as SA), to bring together evidence and consider the long-term implications of strategy options and policies in LDPs;
2. basing LDP production on effective community involvement, to consider a wide range of views, with the aim of building a wider consensus on the strategy and policies for LDPs;
3. ensuring policy integration by producing LDPs that are internally consistent and integrated with other main policies and strategies at national, regional and local level (without unnecessary repetition);
4. delivering a faster and more responsive approach to plan-making, with published timetables for preparation, fewer iterations of the plan before adoption, and regular strategic monitoring and review to enable plans to better reflect the changing circumstances in contemporary Wales; and
5. making plans that are more strategic, concise and distinctive in setting out a strategy for how an area will develop and change, based on a robust understanding of interdependencies between places (within and across administrative boundaries) and drivers for change.

Represented schematically, it is clear that this is intended to be an iterative process, not a longitudinal task-and-finish one, since work on any of the objectives may (indeed, almost certainly would) lead to rethinking, re-appraising conclusions already reached.

Figure 2.1: Key Themes in LDP Preparation



The manual further describes a process at Figure 3.1 (See Appendix for copy) where “Plan preparation, SA and consultation should be undertaken in an integrated manner”. This integration is a key test to be applied to the Delivery Agreement timetable and Community Involvement Scheme (CIS).

Cardiff Civic Society conclusions on the Delivery Agreement and the CIS

We set out in three sections following our detailed (as time has allowed) comments on the Consultation Draft. These are entitled: *The Plan Development*; *The Community Involvement Scheme*; and *Alternative Approaches*.

In summary:

- *The Delivery Agreement is unlikely to deliver a LDP that meets the guiding objectives set out by the legislation and WAG advice* - it is (still) focussed on land use, not strategic development; it shows insufficient recognition of changed environmental and economic drivers and legislation and the need for sustainability; it will take too long, exacerbating the planning hiatus that exists; the process planned is not iterative, it works in task silos with little opportunity for iterative development of strategies and policies
- *The CIS is deeply flawed* - it proposes a system of engagement that falls short of active engagement with the citizens of Cardiff; it removes any potential for advice/discussion/discourse with the 'expert' officers; it incorporates many of the features of the previous CIS which CCS was to argue was unsound
- *CCS believes that a different model, in keeping with the WAG advice, would drastically shorten the production time for a new LDP and radically increase community engagement* so that a genuine consensus could be claimed for the Plan. Such an approach involves a complete rethink of both attitudes (it is not just a land use plan), processes (a much more collaborative, flexible one based on clearly identified evidence, discussion about options and agreement), and methods of engagement with citizens and other stakeholders.

We propose that the current consultation be extended so that these options can be effectively explored. It is not the Cardiff Civic Society's responsibility to draw up in detail a new Delivery Agreement, but we do believe that it is possible to produce what is needed and will engage in whatever way is necessary to achieve what the city needs and deserves.

Detailed responses

Plan development

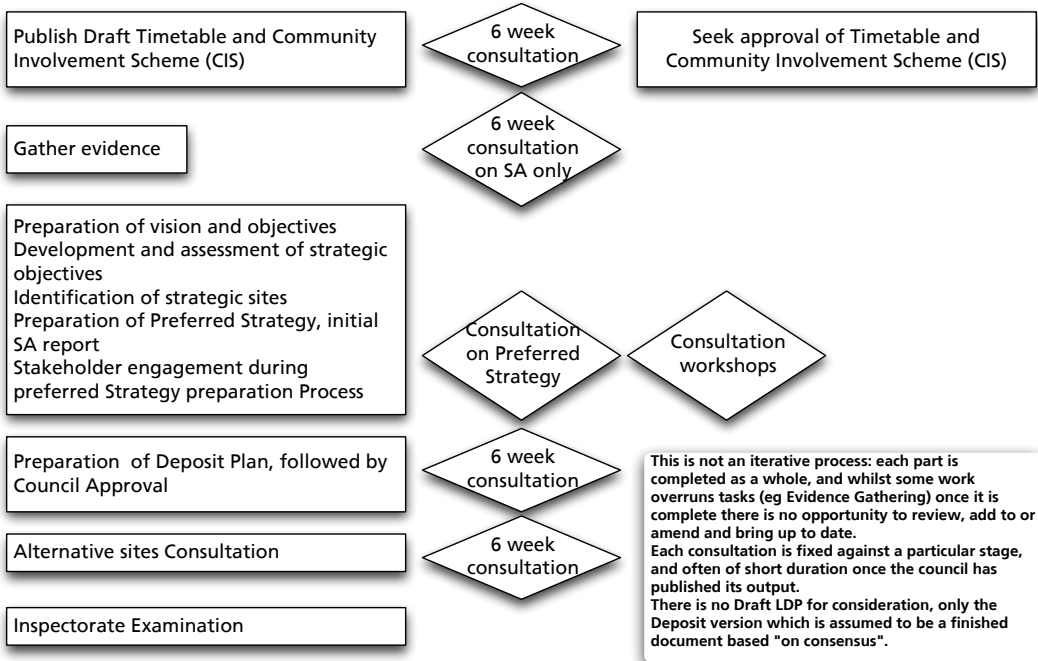
- The plan process continues to give precedence to land use, and the needs of developers. The vision and strategic goals should be agreed before any discussion of sites is initiated. (We suggest ways of doing this below).
- The process does not allow for the major options for change and the key outcomes to be exposed to the public. The options on growth, zoning, density, transportation, climate change, heritage, renewal, car access, electric vehicle priority, congestion charging, shared space etc, etc need to be explored by public exposure and input. A period of expositions, models, seminars, charrettes and discussions need to be included in the CIS in order to do this.
- If possible, pilot exercises should be tried. The redevelopment of cul-de-sacs to provide play areas as reported 8 July 2010 Echo is a good example. Voluntary groups and universities should be used to contribute to and organise such forums much as the Cardiff Civic Society did before and has done for this consultation.⁵
- Above all, the issue of growth will dominate discussion. The use of objective measures of Cardiff's capacity to grow must be included. This would allow the role of green space and parklands to be seen and discussed, and the development of existing village type communities to be put in context.
- Information from market research on the enablers for the success of a city must be clear. The recent European City study is not included, and our research shows that the target businesses require super fast broadband, interconnectivity and mobile applications to support distributed work patterns; the future cannot be a business as usual approach. For Cardiff to attract high skilled jobs we must offer a first class business and social environment. Similarly, the expectations of visitors and residents need to be understood. Cardiff must be distinctive for the city to attract the desired people. Benchmark studies should indicate best practice for us to emulate.
- The database must be brought up to date, information prior to 2009 is worthless.
- Further to the above, an assessment of skills available and needed in the 21st century must be made to ensure our education system is capable of delivering.
- The issue of climate change requires an assessment of carbon and particle emissions, an evaluation of the impact of sea level changes and the challenge to achieve reductions must be explicit. The importance of this issue will not diminish, and it is important that Cardiff is seen as a leader in Wales.
- There is insufficient detail in the plan to suggest that it meets the need to consider nationwide, regional issues and develop a truly collaborate plan with adjoining or other affected local authorities.
- Above all the CCS believes it is essential to shorten the timescale of the LDP drastically. For the city to go a further 4 years without an agreed plan, with all the risks of inappropriate development, is unacceptable. Experience of business situations of similar complexity suggest a 1 to 2 year timeframe is reasonable, if the process is reduced to the essentials. Our final comments provide ideas as to how this might be achieved.

⁵ CCS organised a "Cardiff Partnerships" workshop on 12th July 2010 to elicit comment from other Cardiff community organisations; attended the Cardiff Transition workshop on 13th July 2010 made a presentation on the LDP work and ran two workshops; attended the ARK sponsored 'Envisioning Cardiff' workshop on 2nd July 2010; and the Consultees' workshop at County Hall on 28th June 2010. The CCS Executive and LDP study group have met in order to carry out the preparation of this response.

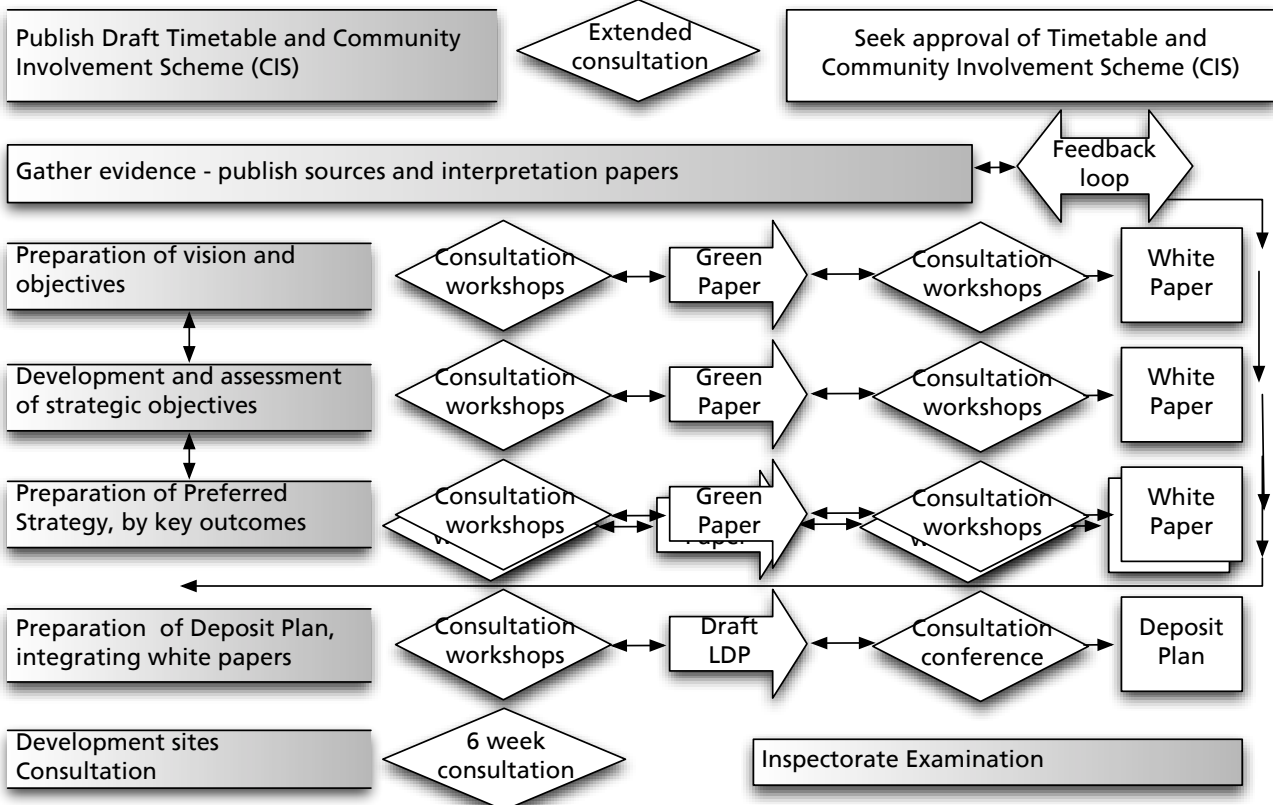
Consultation

Para 1.7 of the Delivery Agreement Draft sets out the aims of the Plan that state it should “Reflect local aspirations for the City, based on a vision agreed by the local community and other stakeholders”, and at 1.8, “The new system is intended to make LDPs more relevant, inclusive and engaging to local communities and to

Cardiff Local Development Plan
Schematic of proposed timetable/consultation process in the Delivery Agreement Draft



Cardiff Local Development Plan
Schematic of proposed timetable/consultation process Cardiff Civic Society suggestions



encourage a partnership approach to plan preparation involved the public, private and voluntary sectors which should result in a strategy based on wide consensus.”

- Consultation is a skilled and active process of seeking, valuing and harnessing opinion. It is not enough to give general notice that the LDP exists on the Council's website and a note that anyone can proffer an opinion, with an email address or the team's address in County Hall. The series of Consultee conferences is inadequate in reaching ordinary citizens. These methods of consultation are not inclusive but passive; the observation from the leader of the Council that people don't care nor want to be involved perpetuates a traditional culture whereby many of Cardiff's residents express a state of learned helplessness with no real say in what happens to their city and that the process of consultation is lip service. We cannot develop a consensus of a modern vibrant city of the future unless this changes.
- The feedback from voluntary groups is overwhelmingly clear that there is little trust that input will be listened to even when asked, and there is a reluctance to engage in what is seen as a fruitless exercise. This inertia needs to be overcome by serious attention to the way in which the public, especially, are engaged.
- We welcome the appointment of a steering group of councillors, but it is not clear what their role will be and how they will ensure consultation will be effective. It appeared that the previous LDP draft was not well understood by councillors and their level of knowledge about the process and what was proposed, was, in general, low.
- Although the CIS in the last LDP was not tested by the inspector we feel that our observation that the citizen's panel was an inadequate way of obtaining input from the community still holds. Understanding of the options, proposals and issues with the opportunity to comment can only be done through active engagement, through, for example, well facilitated workshops and seminars at weekends and in evenings where members of the community can feel able to participate. The use of simple Y/N questions does not get to the issues. The CIS only identifies consultees if people explicitly engage with the process: this implies an already high level of knowledge and understanding in order to have a voice in the process. "Opting-in" is not a truly consultative process.
- The main method of consultation proposed is via conferences each of which is discrete and unconnected with other issues. This is not consultation: it may be educative, it may be informational; it is not consultation if there is not discussion/feedback loop. In the last LDP process consultation outputs mixed all shades of opinion in a raft of post-it notes from which no coherent conclusions could legitimately be drawn. This method allows any desired result to be drawn, rather than identifying the options and preferences of each stakeholder. This method has very limited application to the LDP process.
- The sequence of activities prioritises developers and site examination before the vision, strategic goals and key policies are set. This sequence will not produce a balanced output unless sites can be assessed directly against the strategic goals.
- The plan shows the LDP evolving directly from the preferred strategy to deposit stage without going through a draft stage as before. This means that groups have really only one 6 week period to comment on the whole document before submission. It is not necessarily a six-week period that is the issue, but what is required to be accomplished during that time. If it is required merely to consider an already widely discussed document, based on previously published drafts, then this is sufficient, otherwise not.
- The 6 week consultation periods proposed would not allow any groups to understand or comment on complex proposals. An alternative of publishing a set of 'green papers' with real time access to project team input would overcome this problem. The idea of a central office (in a city arcade, for example) for easy access was among the suggestions raised in a CCS workshop of voluntary groups on 12 July 2010.
- Holiday periods must be avoided for statutory consultation periods.

- The main output of the CCS workshop was that the only way that residents could be reached satisfactorily was via a series of roadshows, in each ward and for each topic. Our ward councillors should act as facilitators and as conduits for input, their involvement is crucial to the ongoing success of the plan. Schools and clubs should also be included to ensure our young, and disadvantaged communities are included. The changes to the waste management system are a model for this.
- The ways in which the plans are presented do not utilise the benefits of today's technology. Virtual maps, walk-throughs and interactive screens are commonplace in all business environments, and would ease and encourage input. The use of computerised 'trade-off' methodologies is another excellent way of allowing people to understand and make decisions about complex issues that are difficult to envisage.

An alternative iterative - and quicker - approach to deliver meaningful consensus

We have tried to visualise the proposed timetable in a schematic way in order to show how limiting the process is to meaningful consultation. We also believe that - as above - the consultation periods are too short, and do not allow an iterative consideration of complex, often inter-related, options.

This schematic shows an alternative iterative approach which has the possibility of reducing the time taken to Draft Plan.

The key steps in LDP development are

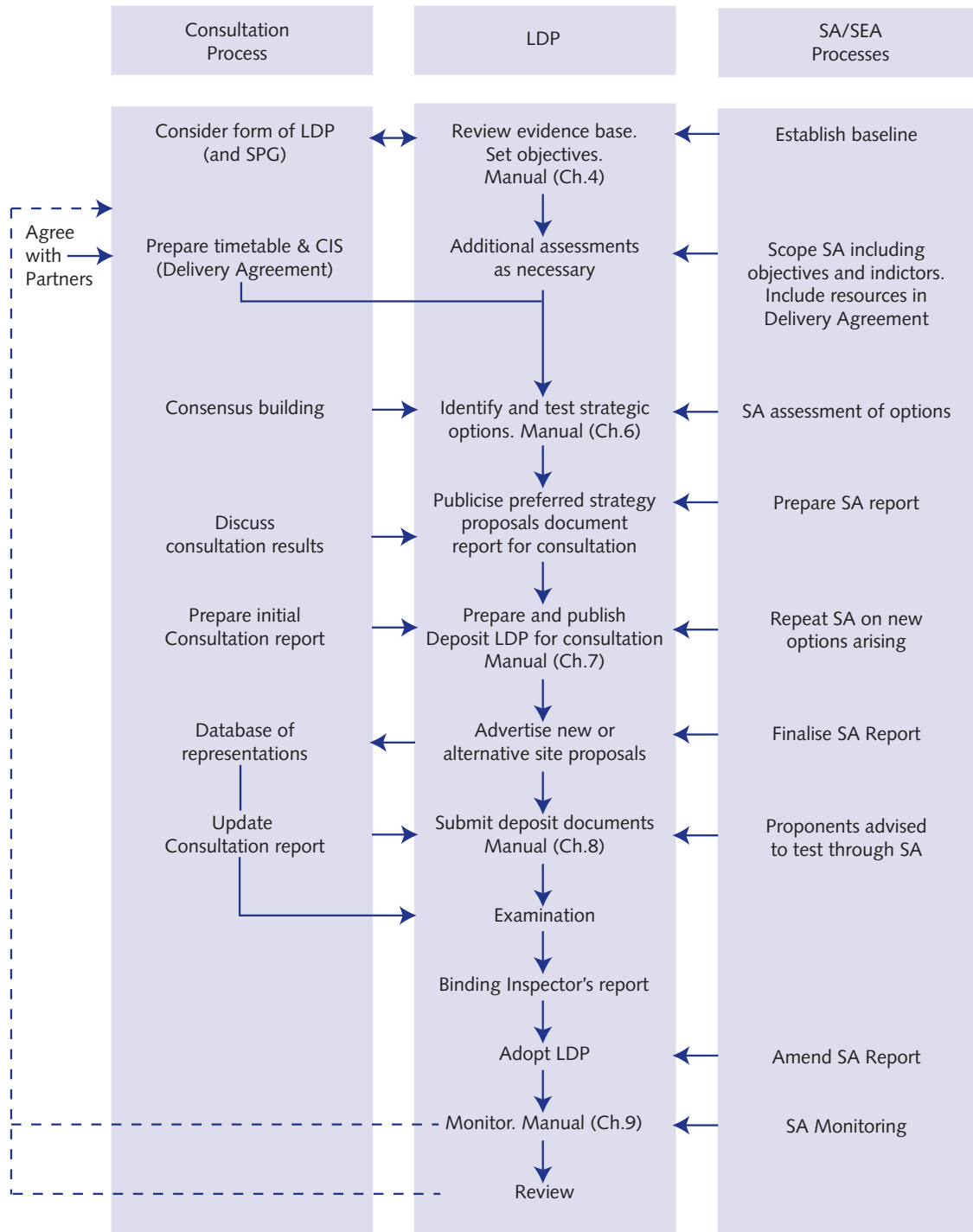
- agree vision and strategic outcomes, use seminars and public display to encourage input
- map out the city and identify growth capacity and potential, distribute information widely
- provide policy framework to ensure the planners can deliver the LDP, e.g. control over permitted development, design, minimum standards, renewable energy self-sufficiency etc
- coordinate with neighbouring authorities to ensure cooperation and coherence of plans
- identify options for each strategic outcome, use roadshows and models in easy access city locations to allow exploration of the alternatives and trade-offs where appropriate. The transport consequences are a vital element. This should use the latest methods of visual display and manipulation of models.
- publish 'green papers' of proposed approach to each outcome, with formal input requested over a short period to all contributors
- identify main areas of growth in dwellings and business, and invite developer and resident input. This will require site based resident meetings
- publish Draft LDP integrating all proposals into one document. Conduct major education programme to ensure understanding and identify gaps
- publish Deposit LDP with final brief consultation period.

The LDP site evaluation process could then be left to the planning process, external to the LDP. The final document need not extend to the 252 pages previously compiled, but be a much slimmer, more strategic and accessible document based on outcomes and enablers. The importance of evidence is paramount, and clear analysis of options and reasons for selection must be documented.

This approach, with continuous and overlapping consultation could be completed in 2 years.

Appendix

Figure 3.1: Main Stages of the LDP Preparation Process



N.B. Plan preparation, SA and consultation should be undertaken in an integrated manner.



Acknowledgement

As well as seeking input from Cardiff organisations and experts, this report has involved input from a group of Cardiff Civic Society members who have the following experience:

Peter Cox, Chair CCS, management consultant with particular experience in the public sector, one-time planning assistant, Ministry of Housing press officer, journalist, broadcaster and repeat unsuccessful candidate in local government elections

Elaine Davey qualified as a building surveyor and then as an architectural historian, now a PhD researcher in the School of City and Regional Planning with a lot of experience of serving on heritage committees

David Eggleton Secretary CCS, lead LDP team, senior executive transportation and distribution electronic equipment.

Jeanne-Hélène Eggleton Senior executive after sales and logistics electronic equipment

Daniel Mohamed Hayes Student in town planning, Cardiff University

Mike Harper former senior official in WAG Planning Division. Recently achieved his doctorate

Nerys Lloyd-Pierce Marketing and PR executive, award winning freelance journalist

Pat Mckenna Doctor in clinical neuro-psychology

Owen Price former planning officer and councillor